

NATIONAL RECOVERY ADMINISTRATION

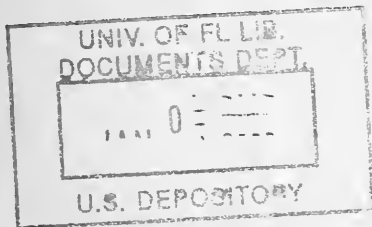
AMENDMENT TO SUPPLEMENTARY
CODE OF FAIR COMPETITION

FOR THE

ADVERTISING METAL SIGN AND
DISPLAY MANUFACTURING
INDUSTRY

(A Division of the Fabricated Metal Products
Manufacturing and Metal Finishing
and Metal Coating Industry)

AS APPROVED ON OCTOBER 5, 1934



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1934

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Approved Code No. 84Q—Amendment No. 1

**AMENDMENT TO SUPPLEMENTARY CODE OF FAIR
COMPETITION**

FOR THE

**ADVERTISING METAL SIGN AND DISPLAY
MANUFACTURING INDUSTRY**

As Approved on October 5, 1934

ORDER

APPROVING AMENDMENT OF SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE ADVERTISING METAL SIGN AND DISPLAY MANUFACTURING INDUSTRY

A DIVISION OF THE FABRICATED METAL PRODUCTS MANUFACTURING AND METAL FINISHING AND METAL COATING INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to a Supplementary Code of Fair Competition for the Advertising Metal Sign and Display Manufacturing Industry, and a Notice of Opportunity to be Heard having been duly given thereon and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, The National Industrial Recovery Board, pursuant to authority vested in it by Executive Orders of the President, including Executive Order No. 6859, dated September 27, 1934, and otherwise; does hereby incorporate, by reference, said annexed report and does find that said amendment and the Supplementary Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and does hereby order that said amendment be and it is hereby approved, and that the previous approval of said Supplementary Code is hereby amended to include an approval of said Supplementary Code in its entirety as amended.

NATIONAL INDUSTRIAL RECOVERY BOARD,
By G. A. LYNCH, *Administrative Officer.*

Approval recommended:

BARTON W. MURRAY,
Division Administrator.

WASHINGTON, D. C.,
October 5, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: An application has been duly made pursuant to and in full compliance with the provisions of the National Industrial Recovery Act for an amendment of Article IV of the Supplementary Code of Fair Competition for the Advertising Metal Sign and Display Manufacturing Industry by the Supplementary Code Authority for that Industry.

The Supplementary Code of Fair Competition for the Advertising Metal Sign and Display Manufacturing Industry was approved on April 20, 1934. Article IV, Section 5 provides that:

"Members of the Industry shall be entitled to share the benefits of the activities of the Supplementary Code Authority and to participate in the selection of the members thereof by assenting to and complying with the requirements of this Supplementary Code and sustaining their reasonable share of the expenses of its administration. Such reasonable share of the expenses of administration shall be determined by the Supplementary Code Authority subject to review by the Administrator, on the basis of volume of business and/or such other factors as may be deemed equitable."

Article IV, Section 8 (d) provides that:

"To cooperate with the Administrator in regulating the use of the N. R. A. insignia solely by those employers who have assented to and are complying with this Supplementary Code."

Article IV, Section 8 (g) provides that:

"To secure from members of the Industry an equitable and proportionate payment of the reasonable expenses of maintaining the Supplementary Code Authority and its activities."

The above sections of Article IV in effect provide for voluntary contributions on the part of the members of the Industry. This method of providing funds for the proper administration of the Supplementary Code has been found to be unsatisfactory. The present amendment is therefore proposed to create a legal obligation on the part of the Industry members to pay their pro rata share of the expenses of the Supplementary Code Authority.

FINDINGS

The Assistant Deputy Administrator, in his final report to The National Industrial Recovery Board on said amendment of said Code, having found as herein set forth and on the basis of all the proceedings in this matter:

It finds that:

(a) The amendment of said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of

obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and all provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7 and Subsection (b) of Section 10 thereof.

(c) The Code empowers the Code Authority to present the aforesaid amendment on behalf of the industry as a whole.

(d) The amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

For these reasons, therefore, it has approved this amendment.

Respectfully,

NATIONAL INDUSTRIAL RECOVERY BOARD,
By G. A. LYNCH, *Administrative Officer*.

OCTOBER 5, 1934.

AMENDMENT TO SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE ADVERTISING METAL SIGN AND DISPLAY MANUFACTURING INDUSTRY

A DIVISION OF THE FABRICATED METAL PRODUCTS MANUFACTURING AND METAL FINISHING AND METAL COATING INDUSTRY

Amend Article IV by deleting Section 5, Section 8 (d) and Section 8 (g) and substituting in place thereof the following:

SECTION 5. (A) It being found necessary in order to support the administration of this Supplementary Code and to maintain the standards of fair competition established hereunder and to effectuate the policy of the Act, the Supplementary Code Authority is authorized:

(1) To incur such reasonable obligations as are necessary and proper for the foregoing purposes, and to meet such obligations out of funds which may be raised as hereinafter provided, and which shall be held in trust for the purposes of the Supplementary Code;

(2) To submit to the Administrator for his approval, subject to such notice and opportunity to be heard as he may deem necessary (1) an itemized budget of its estimated expenses for the foregoing purposes, and (2) an equitable basis upon which the funds necessary to support such budget shall be contributed by members of the Industry;

(3) After such budget and basis of contribution have been approved by the Administrator, to determine and obtain equitable contribution as above set forth by all members of the Industry, and to that end, if necessary, to institute legal proceedings therefor in its own name, or in the name of the Treasurer.

(B) Each member of the Industry shall pay his or its equitable contribution to the expenses of the maintenance of the Supplementary Code Authority, determined as hereinabove provided, and subject to rules and regulations pertaining thereto issued by the Administrator. Only members of the Industry complying with the Supplementary Code and contributing to the expenses of its administration as hereinabove provided, (unless duly exempted from making such contributions), shall be entitled to participate in the selection of members of the Supplementary Code Authority or to receive the benefits of any of its voluntary activities or to make use of any emblem or insignia of the National Recovery Administration.

(C) The Supplementary Code Authority shall neither incur nor pay any obligation substantially in excess of the amount thereof as estimated in its approved budget; and shall in no event exceed the total amount contained in the approved budget, except upon approval of the Administrator; and no subsequent budget shall contain

any deficiency item for expenditures in excess of prior budget estimates except those which the Administrator shall have so approved.

Amend Article IV, Section 8 by renumbering Subsection (e) to read Subsection (d) and renumbering Subsection (f) to read Subsection (e).

Approved Code No. 84Q—Amendment No. 1.
Registry No. 1702-2-06.



UNIVERSITY OF FLORIDA



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